

DOCKET NO.: C1068.70005US00

3621
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Burger et al.
Serial No.: 09/675,438
Confirmation No.: 9912
Filed: September 28, 2000
For: PORTABLE ELECTRONIC AUTHORIZATION SYSTEM
AND METHOD
Examiner: James A. Reagan
Art Unit: 3621

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 4th day of May, 2005.

Pamela Smith-Victor
Pamela Smith-Victor

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Corrected and Supplemental Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Burger et al., Applicants

By: 

Robert M. Abrahamsen, Reg. No.: 40,886
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: C1068.70005US00

Date: May 4, 2005

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MAIL STOP AMENDMENT

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Alexandria, VA 22313-1450

CORRECTED AND SUPPLEMENTAL
STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Corrected and Supplemental Information Disclosure Statement. The Applicant filed an Information Disclosure Statement on April 27, 2005 in which all of the materials listed in this Corrected and Supplemental Information Disclosure Statement were also listed. Although Applicant paid the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p), the Applicant inadvertently did not make the certification required by 37 C.F.R. 1.97(e) in that Statement. The Applicant is thus filing this Corrected and Supplemental Information Disclosure Statement to account for that oversight. The Applicant has also listed one additional item on the attached PTO-1449 (modified) of which the Applicant only recently became aware.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed after the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and is being filed on or before payment of an Issue Fee.

The Applicant hereby states, as specified in 37 C.F.R. §1.97(e), that each item of information contained in this Information Disclosure Statement was either first cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement, or to the knowledge of the undersigned after making a reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

The IDS processing fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) accompanied the Information Disclosure Statement filed on April 27, 2005, which this Corrected and Supplemental Information Disclosure Statement is intended to supplant. Accordingly, no additional fee should be required for this filing. If any fee is required, it may be charged to Deposit Account No. 23/2825.

PART III: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART V: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

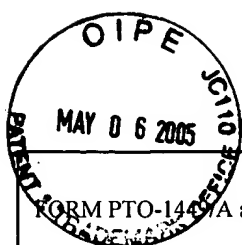
An early and favorable action is hereby requested.

Respectfully submitted,
Burger et al., Applicants

By: 

Robert M. Abrahamsen, Reg. No. 40,886
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

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FORM PTO-1449A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 09/675,438		ATTY. DOCKET NO.: C1068.70005US00	
				FILING DATE: September 28, 2000		CONFIRMATION NO.: 9912	
				APPLICANT: Burger et al.			
				GROUP ART UNIT: 3621		EXAMINER: James A. Reagan	
Sheet	1	of	1				

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		6,308,887	B1	Korman et al.	10-30-2001
		2001/0039512	A1	Nicholson	11-08-2001
		2002/0040321	A1	Nicholson	04-04-2002
		2002/0062251	A1	Anandan et al.	05-23-2002
		2002/0093426	A1	Jackson et al.	07-18-2002
		2003/0106935	A1	Burchette JR.	06-12-2003
		2004/0260608	A1	Lewis et al.	12-23-2004

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		EP	1 231 578 A		Siemens Aktiengesellschaft	08-14-2002	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	

EXAMINER:	DATE CONSIDERED:
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]